

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 20-mj-2040DPR-01

FREDDIE LEWIS TILTON,

Defendant.

**UNITED STATES' MOTION FOR PRETRIAL DETENTION AND FOR
A HEARING PURSUANT TO 18 U.S.C. § 3142(f)**

The United States of America, through Timothy A. Garrison, United States Attorney for the Western District of Missouri, and by the undersigned Assistant United States Attorney, requests pretrial detention and a detention hearing pursuant to 18 U.S.C. § 3142 (f)(1)(A), (f)(2)(A) and (f)(2)(B). At this hearing, the evidence will demonstrate that no condition or combination of conditions of release will reasonably assure the defendant's appearance as required by the Court and the safety of other persons and the community.

Supporting Suggestions

1. 18 U.S.C. § 3142(f)(1)(A) provides that a hearing must be held by the appropriate judicial officer to determine whether any condition or combination of conditions will reasonably assure the defendant's appearance and the safety of any other person in the community if the attorney for the Government moves for such a hearing and if the case is one that involves a crime of violence as defined in 18 U.S.C. § 3156(a)(4)(A), which includes kidnapping, in violation of 18 U.S.C. § 1201(a).
2. The statute recognizes two additional situations which allow for a detention hearing and

which can be raised either by the attorney for the Government or by a judicial officer.

These conditions are:

- a. When there is a serious risk that the defendant will flee; or,
 - b. When there is a serious risk that the person will “obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.” 18 U.S.C. § 3142(f)(2)(A) and (B).
3. One or more grounds for pretrial detention and a pretrial detention hearing as set forth by the statute exists in the above cause, to wit: this matter involves a crime of violence as defined in 18 U.S.C. § 3156(a)(4)(A), which includes kidnapping, in violation of 18 U.S.C. § 1201(a); and there is a serious risk that the defendant’s release will present a substantial risk to the community.
4. Moreover, the nature and circumstances of the charged offense, the weight of the evidence, the defendant’s history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by the defendant’s release, each demonstrate that there is no condition or combination of conditions set forth in 18 U.S.C. § 3142(c) that will reasonably assure the appearance of the defendant as required and the safety of other persons and the community.
5. The Government is aware of the following evidence:
 - a. In relation to the nature and circumstances of the offense charged, the defendant and co-defendant, Alvin Dale Boyer, lured S.T. to a hotel room and then the defendant assaulted her.
 - b. In relation to the weight of the evidence supporting the charge in the complaint, the affidavit in support of the complaint details the nature of the assault on S.T.

c. In relation to the history and characteristics of the defendant, the defendant committed the instant offense while on release in two pending felony cases: for distribution of a controlled substance and unlawful use of a weapon in Jasper County Circuit Court, Case No. 18AP-CR02429-01; and for possession of a controlled substance and unlawful use of a weapon in Jasper County Circuit Court, Case No. 19AP-CR00209-01. The defendant also has multiple prior felony convictions:

- i. on February 5, 1991, Tilton was sentenced to three years in the Missouri Department of Corrections for burglary in the second degree in Jasper County Circuit Court, Case No. CR591-0078FX;
- ii. on December 3, 1995, Tilton was sentenced to seven years in the Missouri Department of Corrections for stealing in Jasper County Circuit Court, Case No. CR595-1739FX;
- iii. on December 3, 1995, Tilton was sentenced to seven years in the Missouri Department of Corrections for burglary in the second degree in Jasper County Circuit Court, Case No. CR595-1837FX;
- iv. on April 23, 2001, Tilton was sentenced to three years for possession of a controlled substance in Jasper County Circuit Court, Case No. 00CR681455-01;
- v. on March 19, 2008, Tilton was sentenced to 25 years' custody, 15 years' suspended, for larceny of an automobile in Ottawa County, Oklahoma, District Court, Case No. CF-2007-00193B;
- vi. on March 19, 2008, Tilton was sentenced to 25 years' custody, 15 years' suspended, for burglary of an automobile in Ottawa County, Oklahoma, District Court, Case No. CF-2007-00226;
- vii. on March 19, 2008, Tilton was sentenced to 25 years' custody, 15 years' suspended, for larceny of an automobile in Ottawa County, Oklahoma, District Court, Case No. CF-2007-00270;
- viii. on February 23, 2009, Tilton was sentenced to four years in the Missouri Department of Corrections for possession of a chemical with intent to

manufacture, receiving stolen property, and unlawful use of a weapon in Jasper County Circuit Court, Case No. 06AO-CR02754-01;

- ix. on March 23, 2009, Tilton was sentenced to four years in the Missouri Department of Corrections for theft in Newton County Circuit Court, Case No. 07NW-CR2245-01; and
- x. on March 30, 2009, Tilton was sentenced to four years in the Missouri Department of Corrections for tampering in Jasper County Circuit Court, Case No. 07AO-CR01536-01.

Additionally, on July 28, 2020, the Newton County, Missouri, Sheriff's Office, responded to a property in Newton County to execute a warrant. The defendant, who was the sole occupant of the residence, shot at law enforcement multiple times from inside the residence. The defendant did not surrender willingly, and law enforcement had to use gas to secure the residence and the defendant. When law enforcement began their search of the property, they located a deceased male body.

WHEREFORE, the United States requests a pretrial detention hearing and that the defendant be detained pending trial.

Respectfully submitted,

Timothy A. Garrison
United States Attorney

By /s/ Ami Harshad Miller
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on July 30, 2020, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ *Ami Harshad Miller*

Ami Harshad Miller

Assistant United States Attorney